

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF ILLINOIS

In Re)	Chapter 7
)	
LEO W. FEIGENMAUM,)	Case No. 09-36699
)	
Debtor.)	Honorable Carol A. Doyle

NOTICE OF ROUTINE MOTION

PLEASE TAKE NOTICE that on March 25, 2010 at 10:00 a.m., or as soon thereafter as counsel may be heard, I shall appear before the Honorable Carol D. Doyle in Courtroom 742 of the United States Bankruptcy Court for the Northern District of Illinois, Eastern Division, 219 S. Dearborn Street, Chicago, IL, and present the attached Second Routine Motion to Extend Time to Object to the Discharge and to Object to Dischargeability of a Claim, at which time and place you may appear if you so choose.

THIS IS A ROUTINE MOTION, PURSUANT TO THE UNITED STATES BANKRUPTCY COURT FOR THE NORTHERN DISTRICT OF ILLINOIS LOCAL RULE 9013(A), AND THE PROPOSED ORDER ATTACHED HERETO MAY BE ENTERED BY THE JUDGE WITHOUT PRESENTMENT IN OPEN COURT UNLESS A PARTY IN INTEREST NOTIFIES THE JUDGE OF AN OBJECTION THERETO.

BRYAN G. BARRISH, JULIANA BARRISH,
MICHAEL GIANNINI and CELESTE
GIANNINI

BY: s/ Mark R. Valley

STATLAND & VALLEY
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UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF ILLINOIS

In Re)	Chapter 7
)	
LEO W. FEIGENBAUM,)	Case No. 09-36699
)	
Debtor.)	Honorable Carol A. Doyle

**SECOND ROUTINE MOTION TO EXTEND TIME TO OBJECT TO
THE DISCHARGE AND TO OBJECT TO DISCHARGEABILITY OF A CLAIM**

Bryan G. Barrish (hereinafter, at times, referred to as “Bryan Barrish”), Juliana R. Barrish (hereinafter, at times, referred to as “Juliana Barrish”), Michael Giannini (hereinafter, at times, referred to as “Michael Giannini”) and Celeste Giannini (hereinafter, at times, referred to as “Celeste Giannini”) (hereinafter, collectively, “Movants”), creditors of the Debtor, Leo W. Feigenbaum (hereinafter “Debtor”), by and through their attorneys, Statland & Valley, request the Court enter an order (a) extending the time to file a complaint objecting to the Debtor’s discharge; and (b) extending the time to file a complaint to obtain a determination of the dischargeability of any debt of the Debtor. In support thereof, Movants state as follows:

1. On October 1, 2009, the Debtor filed a petition for relief under Chapter 7 of the United States Bankruptcy Code in the United States Bankruptcy Court for the Northern District of Illinois.

2. Bryan Barrish filed suit in the Circuit Court of Cook County entitled *Bryan G. Barrish v. Leo Feigenbaum*, Cook County Case No. 07 L 6743. On November 14, 2007, judgment was entered against the Debtor in the amount of \$340,977.00.

3. Juliana Barrish, Michael Giannini and Celeste Giannini are creditors of the Debtor.

4. On November 16, 2009, a creditor’s meeting was held pursuant to 11 U.S.C. § 341. The Debtor did not appear and the meeting was continued to December 10, 2009.

Movants' attorney attended the creditor's meeting held on December 10, 2009. Debtor did not have all financial information with him at the creditor's meeting.

5. Due to the aforesaid, on January 15, 2010, Movants filed their Motion to Extend Time to Object to the Discharge of Debtor.

6. On January 26, 2010, the Honorable Carol A. Doyle granted Movants to and including March 15, 2010 within which to file a complaint to obtain a determination of the dischargeability of any debt of the Debtor.

7. Creditor Frank Roldan moved to take Rule 2004 Examinations of Leo Feigenbaum and Sylvia Feigenbaum.

8. On February 25, 2010, this Court entered an Order granting Frank Roldan's request to take Rule 2004 Examinations of Leo Feigenbaum and Sylvia Feigenbaum.

9. Pursuant to the February 25, 2010 Order, the Rule 2004 Examination of Sylvia Feigenbaum was scheduled for March 5, 2010. The examination was continued to March 9, 2010 at the request of Sylvia Feigenbaum in order that she could retain counsel to represent her at the examination. The Rule 2004 Examination of Sylvia Feigenbaum was taken on March 9, 2010, and the attorneys for the Movants attended the Rule 2004 Examination.

10. Pursuant to the February 25, 2010 Order, the Rule 2004 Examination of Leo Feigenbaum was scheduled for March 5, 2010. At the request of Leo Feigenbaum, his 2004 Examination was continued. Movants have been informed by Frank Roldan's counsel, Richard Indyke, that Leo Feigenbaum has advised that he would only appear for his examination on Friday mornings due to his work schedule and religious practices. At the time of the filing of this Motion, the Rule 2004 Examination of Leo Feigenbaum has not been rescheduled. Movants' attorneys intend to attend the Rule 2004 Examination of Leo Feigenbaum. Further, Movants' attorneys will be receiving and reviewing documents received from various entities pursuant to subpoenas previously issued by Richard Indyke, the attorney for Frank Roldan.

11. The last day to object to the Debtor's discharge or the dischargeability of debts expires on March 15, 2010.

12. On March 11, 2010, creditor Frank Roldan filed a Second Routine Motion to Enlarge Time to Object to Discharge and to Object to Dischargeability of a Claim until April 30, 2010.

13. The Movants also request that this Court enter an Order extending the deadline to file a complaint objecting to the Debtor's discharge and/or the dischargeability of certain debts until April 30, 2010.

14. The Movants will be prejudiced if the request for the extension is denied.

15. Pursuant to Bankruptcy Rules 4004(b) and 4007(c), the Movants have filed this Motion prior to the expiration of the current deadline to file a complaint objecting to the Debtor's discharge and/or the dischargeability of certain debts.

WHEREFORE, Bryan G. Barrish, Juliana R. Barrish, Michael Giannini and Celeste Giannini request that the Court enter an Order:

A. Extending the deadline to file complaints objecting to the Debtor's discharge under 11 U.S.C. §727(a) until April 30, 2010; and

B. Extending the time to file a complaint to obtain a determination of the dischargeability of any debt of the Debtor under 11 U.S.C. § 523(c) until April 30, 2010; and

C. For such other and further relief as the Court deems equitable and just.

BRYAN G. BARRISH, JULIANA BARRISH,
MICHAEL GIANNINI and CELESTE GIANNINI

BY: s/ Mark R. Valley

STATLAND & VALLEY
111 E. Wacker Dr.
Suite 2601
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STATE OF ILLINOIS)
)
COUNTY OF C O O K) SS.

CERTIFICATE OF SERVICE

I, Mark R. Valley, attorney, state that pursuant to Section II, B, 4 of the Administrative Procedures for the Case Management/Electronic Case Filing System, service of the above-referenced Second Motion to Extend Time to Object to the Discharge of Debtor on all persons identified as Registrants on the appended service list was accomplished through the Court's Electronic Notice for Registrants, and, as to all other persons listed below, I cause a copy of the Second Motion to Extend Time to Object to the Discharge of Debtor, to be and sent by United States Mail, postage prepaid, as indicated on the attached service list on March 15, 2010:

s/ Mark R. Valley

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John K. Kallman, Esq.
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